

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of )  
 )  
HOUSTON INDEPENDENT SCHOOL DISTRICT )  
 ) Call Signs: WPXZ489, WPXR667,  
Request for Waiver of Narrowbanding ) WPXT995, WPNU416, WNZX819,  
Deadline, Section 90.209(b)(5) ) and KB26544

To: Wireless Telecommunications Bureau

**REQUEST FOR WAIVER**

The Houston Independent School District (“the District”) pursuant to Section 1.925 of the Commission’s rules<sup>1</sup> and the Commission’s *Public Notice*, DA 11-1189 (released July 13, 2011), hereby requests that the Commission waive Section 90.209(b)(5) of its rules<sup>2</sup> to provide additional time for the District to comply with the requirement that it operate on channels with a bandwidth of 12.5 kHz or less beginning January 1, 2013 (“the narrowbanding requirement”). For the reasons discussed below, the District requests a six-month extension, until July 1, 2013, for the call signs listed in the caption above.

The Houston Independent School District has 279 public schools and more than 203,000 students, making it the largest school district in Texas and the seventh-largest in the United States. In addition to an extensive 800 MHz system not subject to this waiver, the District has licenses for UHF and VHF land mobile radio systems indicating 1075 mobile/portable units and 5 fixed sites used for school security, including day-to-day security in and around buildings, coordination of emergency situations, maintaining the safety of students during drop-off/pick-up

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<sup>1</sup> 47 C.F.R. §1.925.

<sup>2</sup> 47 C.F.R. §90.209(b)(5).

periods, and athletic event security and coordination. Radios are also use for a variety of other educational and administrative services at schools and other District facilities (*e.g.*, administrative and maintenance buildings, sports facilities, and a school camp located near Trinity, TX). The licenses in question are for shared UHF and VHF frequencies in the Industrial Business Pool.

The District is decentralized, meaning that site-based decision making is made at each of the 279 individual schools throughout the metropolitan area. Thus, each campus maintains its own radio system and there is not a centralized repository of inventory. A project of this magnitude will require a high level of coordination between a dedicated centralized project manager and all 279 decentralized individual schools to ensure that every radio is included in the narrow banding obligations. A project manager has now been assigned and has acquired needed funding and completed a project plan that has been approved by the District. TRC Solutions has been retained by the District to provide engineering and licensing support, and Houston Communications, Inc., the leading Motorola service provider in the area, will perform the necessary radio reprogramming/replacement.

The District's VHF and UHF radios are located at over 300 schools and other facilities spread across the Houston metropolitan area, and most are used on a daily basis for school-related activities. Inventorying, reprogramming and, if needed, replacing these radios to meet the narrowbanding requirements will be difficult to accomplish without disrupting school security and ongoing programs. Therefore, the District plans to work with TRC Solutions and Houston Communications to perform as much of the narrowbanding as possible during the holiday school break at the end of this year (December 21, 2012-January 8, 2013). Radios will be boxed and delivered to Houston Communications, which will then determine what needs to be

done to each radio and, to the maximum extent possible, reprogram radios before they are returned to service when classes resume. Fixed stations will also be reprogrammed during this period. New radio equipment, if needed, will be ordered once the necessary quantity and functionality is identified. As soon as possible in 2013, reprogramming not completed during the holiday break will undertaken, and new radios will be deployed following receipt from vendors. These additional dates have been identified during spring break, (March 11 – 15, 2013) and after the last day of school (June 6, 2013). The District is hopeful that a six-month extension, until July 1, 2013, will be sufficient to complete all narrowbanding tasks and come into compliance with the Commission's requirements.

Grant of the District's requested waiver will be in the public interest and consistent with both Section 1.925(b)(3) of the Commission's rules and its *Public Notice*, DA 11-1189 (released July 13, 2011), which provides guidance for satisfying the requirements of Section 1.925 in the context of a waiver of the narrowbanding deadline. Section 1.925(b)(3) allows the Commission to grant a waiver if it is shown that either: "(i) the underlying purpose of the rules(s) would not be served or would be frustrated by application to the instant case, and that a grant of the requested waiver would be in the public interest;" or "(ii) in view of unique or unusual factual circumstances of the instant case, application of the rules(s) would be inequitable, unduly burdensome or contrary to the public interest, or the applicant has no reasonable alternative."

The District satisfies these requirements as it faces an unusual combination of hurdles: a recent history of very limited funding to maintain the radio system, limited centralized record keeping regarding its complex radio systems, equipment spread across over 300 locations, and the need to prevent disruption to the school security operations that depend upon the District's radio systems. The District has no reasonable alternative and is now moving as quickly as possible to



complete the narrowbanding of its radio systems in a timely matter. Much of the District's radio equipment will be narrowbanded by the end of this year, and the District believes that all narrowbanding can be completed within six months thereafter. Grant of the requested waiver is therefore in the public interest.

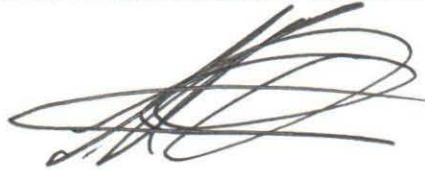
#### CONCLUSION

Therefore, for the reasons set forth above, the District requests that the Commission waive its rules and allow the District until July 1, 2013, to complete rebanding of its radio systems.

Respectfully submitted,

HOUSTON INDEPENDENT SCHOOL DISTRICT

By:

A handwritten signature in dark ink, consisting of several overlapping, fluid strokes that form a cursive-like shape.

November 6, 2012